

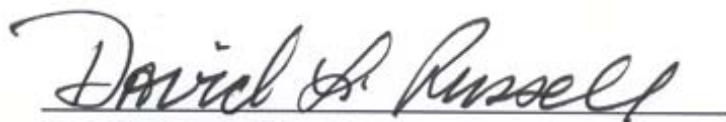
**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

PHY QUOC CAO,)	
)	
Petitioner,)	
)	
v.)	CIV-07-937-R
)	
ALBERTO GONZALES, et al.,)	
)	
Respondents)	

ORDER

Before the Court is the Report and Recommendation of United States Magistrate Judge Bana Roberts entered September 26, 2007. Doc. No. 7. No Objection to the Report and Recommendation has been filed nor has an extension of time in which to file an Objection been sought or granted. Mail to Petitioner has been returned as undeliverable. However, Petitioner had an obligation to inform the Court of any change of address, *see* LCVR 5.5, and the Report and Recommendation herein is deemed delivered because it was sent to Petitioner's last known address given to the Court. *See id.* Therefore, the Report and Recommendation [Doc. No. 7] is ADOPTED and the petition herein is DISMISSED without prejudice due to Petitioner's failure to pay the filing fee or obtain leave to proceed without prepayment of the fee.

IT IS SO ORDERED this 13th day of November, 2007.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE